



**JAMES E. JOHNSON**  
*Corporation Counsel*

**THE CITY OF NEW YORK**  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, N.Y. 10007

**AMANDA ROLON**  
*Assistant Corporation Counsel*  
phone: (212) 356-2356  
fax: (212) 356-3509  
arolon@law.nyc.gov

March 31, 2021

**BY ECF**

Honorable Ona T. Wang  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

Re: Thomas Perez v. City of New York, et al., 19-CV-2351 (LAK) (OTW)

Your Honor:

I am an Assistant Corporation Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, representing City defendants in the above-referenced matter. I write respectfully to seek a stay of discovery deadlines pending the resolution of plaintiff's counsel's motion to withdraw, as outlined in the Court's Order dated March 26, 2021. (ECF No. 46.) Plaintiff consents to this request.

By way of background, plaintiff has brought, among others, claims of false arrest, malicious prosecution, and excessive force, pursuant to 42 U.S.C. § 1983, stemming from two encounters with members of the New York City Police Department ("NYPD"). Currently, discovery is set to close today, March 31, 2021. On March 17, 2021, I attempted to conduct plaintiff's deposition. After just one hour, plaintiff abruptly ended the deposition and refused to return. Upon information and belief, plaintiff's counsel made several attempts to reach plaintiff to convince him to return, but plaintiff did not return and the deposition had to be adjourned until a later date. Following that partial deposition, on March 23, 2020, plaintiff's counsel requested a conference to discuss his anticipated motion to withdraw as attorney. On March 26, 2021, the Court terminated plaintiff's request for conference and instead adopted a motion briefing schedule set to be completed by May 7, 2021.

In light of the motion practice concerning plaintiff's representation, and the discovery left to complete, defendants request that discovery be stayed until issues surrounding plaintiff's representation have been resolved.

Thank you for your attention to this matter.

Respectfully submitted,

/s/ Amanda Rolon

Assistant Corporation Counsel  
Special Federal Litigation Division

cc: **VIA ECF**

Philip Anaackperechi Akakwam, Esq.  
*Attorney for Plaintiff*  
303 Livingston Avenue, 2nd Floor  
Brooklyn, New York 11217

Application **GRANTED**. Discovery is hereby **STAYED** pending decision on the motion to withdraw.

Plaintiff counsel's motion to withdraw due April 16, 2021 may be accompanied by supporting papers filed under seal, as necessary. *Team Obsolete Ltd. v. A.H.R.M.A. Ltd.*, 464 F.Supp.2d 164, 165 (E.D.N.Y.2006) (“[D]ocuments in support of motions to withdraw as counsel are routinely filed under seal where necessary to preserve the confidentiality of the attorney-client relationship between a party and its counsel, and . . . this method is viewed favorably by the courts.”).

**SO ORDERED.**



\_\_\_\_\_  
Ona T. Wang 4/5/21  
U.S.M.J.